

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANTS: Hurt McGuire Land Trust:)
Arthur Stilwell;)
Donald Nipper.)

DOCKET NO.
98-0324-0625-05

RELIEF SOUGHT: Issuance of an Amended Supplemental)
Order Amending Prior Orders Affecting)
Drilling Unit T-36 Located in the Garden)
Districe, Buchanan County, VA)
(herein "Subject Drilling Unit") to Provide:)
(1) Calculation of Funds Unit Operator)
Deposited into the Escrow Account for)
Subject Drilling Unit by Tract Subaccounts;)
(2) to Applicants a Royalty Accounting; and)
(3) Disbursement to Applicants in)
accordance with their ownership interests)
Those Funds Deposited by the Unit Operator)
into Subject Drilling Unit's Escrow)
Subaccount for VGOB Tracts 2a and 2d.)

REPORT OF THE BOARD

FINDINGS AND ORDER

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on June 19, 2007 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, VA.
2. **Appearances:** Mark Swartz, Esq. appeared for the Unit Operator.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it does not have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it does not have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, the Board does have jurisdiction and authority to disburse funds from the Escrow Account provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tract in question or any undivided interest therein.
4. **Prior Proceedings:**

- 4.1. On May 11, 1998, the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code §§ 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Buchanan County on May 14, 1998 in Deed Book 476 at Page 154. On June 26, 1998, the Board executed its Supplemental Order Regarding Elections which was filed with the Clerk on July 14, 1998 in Deed Book 478 at page 668. On September 9, 1999, the Board approved re-pooling of the unit, the order for which was filed with the Clerk on September 16, 1999 in Book 496 at Page 538. On May 1, 2000, the Board executed a Supplemental Order Regarding Elections which was filed with the Clerk on May 3, 2000 in Deed Book 506 at page 715. On January 14, 2000, the Board approved further re-pooling of the unit, the order for which was filed with the Clerk on January 31, 2000 in Book 501 at Page 265. On May 1, 2000, the Board executed a Supplemental Order Regarding Elections which was filed with the Clerk on May 3, 2000 in Deed Book 506 at page 732. On January 20, 2004, the Board approved further re-pooling of the unit, the order for which was filed with the Clerk on April 2, 2004 in Book 589 at Page 577. On September 19, 2006, the Board executed an order for disbursement of escrowed funds to owners of a portion of VGOB Tract 1a that was filed with the Clerk on September 26, 2006 as Instrument Number 060003143 (hereafter all orders are collectively referred to as the "Pooling Orders"). On June 17, 2003, The Board executed an order without docket number amending all prior pooling orders that named Buchanan Production Company, Pocahontas Gas Partnership, Island Creek Coal Company or Consol Energy, Inc. as unit operator, and designated CNX Gas Company, LLC as operator. In Buchanan County, the amendment order was recorded with the Buchanan County Clerk in Deed Book 585, Page 65.
- 4.2 To the extent claims to the Gas were in conflict, pursuant to Va. Code § 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Order (herein "Escrow Account"). According to the Pooling Orders the coalbed methane claims of oil and gas fee owners Arthur Stillwell and coal fee owner Hurt McGuire Land Trust in a 32.20-acre tract known as VGOB Tract 2a, and the coalbed methane claims of oil and gas fee owners Donald Nipper and coal fee owner Hurt McGuire Land Trust in a 2.21-acre tract known as VGOB Tract 2d in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3 The Unit Operator's Miscellaneous Petition regarding VGOB Tracts 2a and 2d, a copy of which is attached to and made a part hereof, and testimony states under oath that Arthur Stillwell and Hurt McGuire Land Trust have entered into a royalty split agreement; and that by the terms of that agreement escrow regarding the conflicting claims of said parties is no longer required. The Unit Operator's Miscellaneous Petition and testimony additionally states under oath that Donald Nipper and Hurt McGuire Land Trust have entered into a royalty split agreement and that by the terms of that agreement escrow regarding the conflicting claims of said parties is no longer required. By sworn testimony before the Board on June 19, 2007, the Unit Operator testified that VGOB Tract 2a and the interests of Arthur Stillwell and Hurt McGuire Land Trust, and that VGOB Tract 2d and the interests of Donald Nipper and Hurt McGuire Land Trust are subject to the split agreements.
- 4.4 Applicants gave notice to Arthur Stillwell, Donald Nipper and Hurt McGuire Land Trust that the Board would take the petition referred to in Paragraph 4.3 above under consideration and consider whether to: (1) amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract 2a and the interests of Arthur Stillwell and Hurt McGuire Land Trust, and Tract 2d and the interests of Donald Nipper and Hurt McGuire Land Trust (2) delete the requirement that the Unit Operator place future royalties attributable to Tract 2a and the interests of Arthur Stillwell and Hurt McGuire Land Trust in the Escrow Account, and Tract 2d and the interests of Donald Nipper and Hurt McGuire Land Trust in the Escrow Account and (3) continue the escrow account under this docket

number because parties other than those seeking disbursement under this order are subject to escrow.

- 4.5 The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

- 5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tract in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

- 5.2 Applicant has certified and represented to the Board that:

- (1) Arthur Stillwell is a fee owner of a portion of the oil and gas rights in Tract 2a, and Hurt McGuire Land Trust is fee owner of coal rights in Tract 2a of the Subject Unit.
- (2) Arthur Stillwell and Hurt McGuire Land Trust have entered into a royalty split agreement specifying that escrowed funds are to be divided with 50% going to the gas owner and 50% going to the coal owner, and also specifying that future royalties be paid directly to the owners according to the split agreement.
- (3) Donald Nipper is fee owner of the oil and gas rights in Tract 2d, and Hurt McGuire Land Trust is fee owner of coal rights in Tract 2d of the Subject Unit.
- (4) Donald Nipper and Hurt McGuire Land Trust have entered into a royalty split agreement specifying that escrowed funds are to be divided with 50% going to the gas owner and 50% going to the coal owner, and also specifying that future royalties be paid directly to the owners according to the split agreement.
- (5) *Net interests attributable and to be disbursed to Applicants are shown in Table 1, Below.*

TABLE 1			
Owners	Tract #	Net Acres	% interest in 98-0324-0625 sub-account
Hurt McGuire Land Trust (50%) C/O Charles Green P. O. Box 1067 Bluefield, VA 24605	2a	32.30	9.1383%
Arthur Stilwell (50%) P. O. Box 314 Raven, VA 24639	2a	32.30	9.1383%
Hurt McGuire Land Trust (50%)	2d	2.21	2.5010%
Donald Nipper P. O. Box 655 Raven, VA 24639	2d	2.21	2.5010%

6. **Relief Granted:**

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting, the Escrow Agent is ordered to, within 10 days of receipt of this executed order: (1) disburse 45.0 percent of the funds attributable to VGOB Tract 2a, being 9.1383 percent of funds on deposit in the escrow sub-

account on the date of disbursement, to Arthur Stilwell at the address shown above; (2) disburse 50 percent of the funds attributable to VGOB Tract 2d, being 2.5010 percent of the funds on deposit in the escrow subaccount on the date of disbursement to Donald Nipper at the address shown above; and (3) disburse 45 percent of the funds attributable to VGOB Tract 2a and 50% of the funds attributable to VGOB tract 2d, being a combined total of 11.6393 percent of the funds on deposit in the escrow subaccount on the date of disbursement to Hurt McGuire Land Trust at the address shown above.

Exhibit E to the Pooling Orders, showing owners subject to escrow, is deleted in toto and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of Arthur Stillwell and Hurt McGuire Land Trust in VGOB Tract 2a and the conflicting coalbed methane gas ownership interests of Donald Nipper and Hurt McGuire Land Trust in VGOB Tract 2d be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. **Conclusion:**

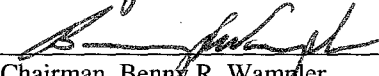
Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and IT IS SO ORDERED.

8. **Appeals:**


Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

9. **Effective Date:** This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 21st day of August, 2007, by a majority of the Virginia Gas and Oil Board.

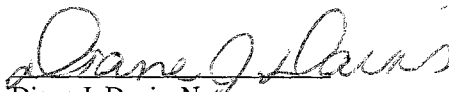

Chairman, Benny R. Wampler

DONE AND PERFORMED this 21st day of August, 2007, by an Order of this Board.


B. R. Wilson
Principal Executive to the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 21st day of August, 2007, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.


Diane J. Davis, Notary
174394

My commission expires: September 30, 2009

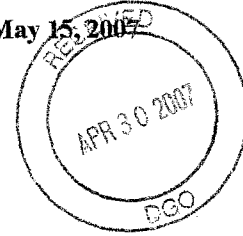
BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 98-0324-0625-05

RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 2A AND 2D
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

HEARING DATE: May 15, 2007



DRILLING UNIT: T-36

BUCHANAN COUNTY, VIRGINIA

AMENDED MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is **CNX Gas Company LLC**, 2481 John Nash Blvd., Bluefield, West Virginia 24701, 304/323-6515. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, P.O. Box 517, Abingdon, VA 24212.

2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tract(s) 2A and 2D as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Hurt McGuire Land Trust and Arthur Stilwell; Hurt McGuire Land Trust and Donald Nipper (see Exhibit A for details).

3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. **Type of well(s):** Coalbed methane.

5. **Factual basis for relief requested:** Hurt McGuire Land Trust and Arthur Stilwell; Hurt McGuire Land Trust and Donald Nipper (see Exhibit A for details) have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A, further, specifies how said royalties are to be divided and paid.

6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY IT'S PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By 
Leslie K. Arrington

Manager – Environmental Permitting
CNX Gas Company LLC
2481 John Nash Blvd.
Bluefield, West Virginia 24701
304/323-6500

Exhibit A
Tract-by-Tract Escrow Calculation
Account Balances as of 5/31/07

Unit T-36
VGOB 98-0324-0625-05
Acres Escrowed: 44.1822

Owners	Tract #	Acres	Total Tract Percent of Escrow	Fractional Interest	Acres	Owners' Percent of Escrow (50%)	Amount Due Owners \$460,957.05
Hurt McGuire Land Trust	2a	8.9722	20.3073%			10.1536%	\$46,803.90
Thomas Stilwell Heirs						10.1536%	\$46,803.90
Arthur M. Stilwell				1/8	4.0375	9.1383%	\$21,061.81
				1/72	0.4486	1.0153%	\$2,340.14
				1/72	0.4486	1.0153%	\$2,340.14
				1/72	0.4486	1.0153%	\$2,340.14
				1/72	0.4486	1.0153%	\$2,340.14
				1/72	0.4486	1.0153%	\$2,340.14
				1/24	1.3458	3.0460%	\$7,020.43
				1/72	0.4486	1.0153%	\$2,340.14
				1/72	0.4486	1.0153%	\$2,340.14
				1/72	0.4486	1.0153%	\$2,340.14
	2b	1.25	2.8292%			1.4146%	\$6,520.68
						1.4146%	\$6,520.68
	2c	12.07	27.3187%			13.6593%	\$62,963.72
						13.6593%	\$62,963.72
Hurt McGuire Land Trust	2d	2.21	5.0020%			2.5010%	\$11,528.57
Donald Nipper						2.5010%	\$11,528.57
	2e	0.29	0.6564%			0.3282%	\$1,512.80
						0.3282%	\$1,512.80
	2f	5.65	12.7880%			6.3940%	\$29,473.49
						6.3940%	\$29,473.49
	2h	0.33	0.7469%			0.3735%	\$1,721.46
						0.3735%	\$1,721.46
	3a	9.48	21.4566%			10.7283%	\$49,452.87
						10.7283%	\$49,452.87
	3a1/3a2	3.06	6.9259%			3.4629%	\$15,962.63
						3.4629%	\$15,962.63
	3b&c	0.87	1.9691%	---	---	0.9846%	\$4,538.40
						0.9846%	\$4,538.40

Information presented here is for reference use only, CNX is not responsible for determinations made using the data represented here.

This information is for estimation purposes only.

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-03
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
<u>Tract #2A, 32.30 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	32.30 acres	40.37500%	2.32040%	6.60124%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Thomas Stilwell Heirs, Devisees, Successors or Assigns	32.30 acres	40.37500%	2.32040%	6.60124%
(g) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(h) Jerline Davis 118 Coronado Road North Tazewell, VA 24630	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(k) Daniel J. Osborne 100 Third Street, SW No.D77 Mandan, ND 58554	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(l) Sylvia A. Shelton 549 Jacks Creek Road Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(n) Lois Casey P. O. Box 521 Pounding Mill, VA 24637	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(o) Cora Arnold Heirs, Devisees, Successors or Assigns				
(o.1) James H. Arnold, widower P. O. Box 626 Raven, VA 24637	1.3458 acres 1/24 of 32.30 acres	1.68229%	0.09668%	0.27505%
(s) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(t) Curtis Stilwell P.O. Box 908 Pounding Mill, VA 24637	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(y) Quentin A. Stilwell P. O. Box 154 Rhame, ND 58651	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%

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	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
<u>Tract #2B, 1.25 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.25 acres	1.56250%	0.08980%	0.25547%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Walter Underwood HC 62, Box 105 Raven, VA 24639	1.25 acres	1.56250%	0.08980%	0.25547%
<u>Tract #2C, 12.07 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	12.07 acres	15.08750%	0.86710%	2.46678%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Joe Nipper HC 62, Box 103A Raven, VA 24639	12.07 acres	15.08750%	0.86710%	2.46678%
<u>Tract #2E, 0.29 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.29 acres	0.36250%	0.02083%	0.05927%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Osborne Mountain Pentecostal Church c/o Luther Bowman, Pastor HC 62, Box 174 Raven, VA 24639	0.29 acres	0.36250%	0.02083%	0.05927%
<u>Tract #2F, 5.65 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	5.65 acres	7.06250%	0.40589%	1.15471%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Mitchell Counts, et al.	5.65 acres	7.0625%	0.40589%	1.15471%

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Unit T-36
Docket # VGOB-98-0324-0625-03
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(a) Mitchell Counts P. O. Box 57 Shortt Gap, VA 24647	2.83 acres 1/2 of 5.65 acres	3.5313%	0.20295%	0.57735%
(b) Sandra Counts c/o Patrick Counts 311 Clinch Avenue Raven, VA 24639	2.83 acres 1/2 of 5.65 acres	3.5313%	0.20295%	0.57735%

Tract #2H, 0.33 acres

COAL FEE OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.33 acres	0.41250%	0.02371%	0.06744%
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OIL & GAS FEE OWNERSHIP

(1) Rodney D. Taylor, et ux. P.O. Box 706 Oakwood, VA 24631	0.33 acres	0.4125%	0.02371%	0.06744%
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Tract #3A, 9.48 acres

Escrow due to title conflict / Surface Claimant

COAL FEE OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	9.48 acres	11.85000%	0.68103%	1.93745%
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OIL & GAS FEE OWNERSHIP

Linkous Horn Heirs, Devisees, Successors or Assigns	9.48 acres	11.8500%	0.68103%	1.93745%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.3160 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.3160 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.3160 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(2) Lydia Bell Blankenship Heirs, Devisees, Successors or Assigns				

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Unit T-36
Docket # VGOB-98-0324-0625-03
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(a) Noah & Mary Jane Keen Rt. 1, Box 154 Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(b) Shirley Keen Rt.1 Box 159R Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(c) Patsy & Clyde Moore Rt. 1, Box 138 Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(d) Brenda Sue & Eddie Justice P. O. Box 627 Keen Mountain, VA 24624	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne Rt.1 Box 157E Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(g) Ronnie & Sherry Osborne P. O. Box 12 Oakwood, VA 24631	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(h) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(i) Richard & Debbie Osborne P. O. Box 541 Keen Mountain, VA 24624	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen				
			<i>(Deed of Gift to Joyce Lineberry 3/16/03)</i>	
(j.1.1) Joyce Lineberry 110 Barn View Lane Woodleaf, NC 27054	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(3) Henry Horn Heirs, Devisees, Successors or Assigns				

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Unit T-36
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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.3160 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns <i>Heirs / Address Unknown</i>	0.3160 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton P.O. Box 65 Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.3) Tammy D. Boyd 195 Taylor Circle Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.5) Danny W. Elder P.O. Box 296 Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.6) Robert G. Elder P.O. Box 65 Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(4) Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(5) Joseph P. Horn P. O. Box 775 Raven, VA 24639	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(6) Nancy Ann Horn Stilwell Rt. 4, Box 722 North Tazewell, VA 24630	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(7) Earnest Horn Heirs, Devisees, Successors or Assigns				
(a) Dorothy Horn 305 Bane Bottom Avenue Cedar Bluff, VA 24609	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(8) Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-03
List of Conflicting Owners/Claimants that require escrow

		Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(9)	Sarah Horn Day P. O. Box 208 Peterstown, WV 24963	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(10)	Carl Horn Heirs, Devisees, Successors or Assigns				
(a)	Marilyn Taylor RR1 Box 1445 Pounding Mill, VA 24637	0.9480 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%

OIL & GAS CLAIMANT (Surface Owner)

(1)	Danny McClanahan P. O. Box 547 Oakwood, VA 24631	9.48 acres	11.85000%	0.68103%	1.93745%
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Tract #3A1, 1.03 acres

Escrow due to title conflict / Surface Claimant

COAL FEE OWNERSHIP

(1)	Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.03 acres	1.28750%	0.07399%	0.21050%
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OIL & GAS FEE OWNERSHIP

	Linkous Horn Heirs, Devisees, Successors or Assigns	1.03 acres	1.28750%	0.07399%	0.21050%
(1)	Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a)	Sydney Smith 1911 McVetty Road Salem, VA 24153	0.0343 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(b)	Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.0343 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(c)	Martha Williams 1911 McVetty Road Salem, VA 24153	0.0343 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(2)	Lydia Bell Blankenship Heirs, Devisees, Successors or Assigns				
(a)	Noah & Mary Jane Keen Rt. 1, Box 154 Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(b)	Shirley Keen Rt.1 Box 159R Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%

Exhibit E
Unit T-36
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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(c) Patsy & Clyde Moore Rt. 1, Box 138 Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(d) Brenda Sue & Eddie Justice P. O. Box 627 Keen Mountain, VA 24624	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne Rt.1 Box 157E Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(g) Ronnie & Sherry Osborne P. O. Box 12 Oakwood, VA 24631	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(h) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(i) Richard & Debbie Osborne P. O. Box 541 Keen Mountain, VA 24624	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen				
				<i>(Deed of Gift to Joyce Lineberry 3/16/03)</i>
(j.1.1) Joyce Lineberry 110 Barn View Lane Woodleaf, NC 27054	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.0343 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns <i>Heirs / Address Unknown</i>	0.0343 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%

Exhibit E
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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton P.O. Box 65 Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.3) Tammy D. Boyd 195 Taylor Circle Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.5) Danny W. Elder P.O. Box 296 Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.6) Robert G. Elder P.O. Box 65 Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(4) Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(5) Joseph P. Horn P. O. Box 775 Raven, VA 24639	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(6) Nancy Ann Horn Stilwell Rt. 4, Box 722 North Tazewell, VA 24630	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(7) Earnest Horn Heirs, Devisees, Successors or Assigns				
(a) Dorothy Horn 305 Bane Bottom Avenue Cedar Bluff, VA 24609	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(8) Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(9) Sarah Horn Day P. O. Box 208 Peterstown, WV 24963	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(10) Carl Horn Heirs, Devisees, Successors or Assigns				

Exhibit E
Unit T-36
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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(a) Marilyn Taylor RR1 Box 1445 Pounding Mill, VA 24637	0.1030 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
- OR -				
(2) Thomas Stilwell Heirs, Devisees, Successors or Assigns	1.03 acres	1.28750%	0.07399%	0.21050%
(a) Beulah V. Osborne HC 62, Box 109 Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(b) Martha J. Stilwell HC 62, Box 95 Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(c) Virginia N. Stilwell HC 62, Box 97 Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(d) Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(e) Exie Osborne Heirs, Devisees, Successors or Assigns				
(e.1) Myrtle Smith Heirs, Devisees, Successors or Assigns				
(e.1.1) Nancy Jackson P.O. Box 448 Doran, VA 24612	0.0107 acres 1/96 of 1.03 acres	0.01341%	0.00077%	0.00219%
(e.1.2) Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.0107 acres 1/96 of 1.03 acres	0.01341%	0.00077%	0.00219%
(e.2) Maxie Boyd P.O. Box 972 Raven, VA 24639	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(e.3) Ruth Osborne Smith P.O. Box 672 Doran, VA 24612	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(e.4) Judy Blankenship Box 221 Doran, VA 24612	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(e.5) John Osborne Box 6 Shortt Gap, VA 24647	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(e.6) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-03
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(f) Hubbard Osborne HC 62, Box 89 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(g) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(h) Jerline Davis 118 Coronado Road North Tazewell, VA 24630	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(i) Arlin W. Osborne P. O. Box 446 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(j) Jackie D. Osborne Rt. 1, Box 209 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(k) Daniel J. Osborne 100 Third Street, SW No.D77 Mandan, ND 58554	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(l) Sylvia A. Shelton 549 Jacks Creek Road Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(m) Marvin J. Osborne P. O. Box 537 Richlands, VA 24641	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(n) Lois Casey P. O. Box 521 Pounding Mill, VA 24637	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(o) Cora Arnold Heirs, Devisees, Successors or Assigns				
(o.1) James H. Arnold, widower P. O. Box 626 Raven, VA 24637	0.0429 acres 1/24 of 1.03 acres	0.05365%	0.00308%	0.00877%
(o) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(p) Jay C. Stilwell Heirs, Devisees, Successors or Assigns				
(p.1) Connie Stilwell, widow P. O. Box 1035 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(q) Wanda Hagy P. O. Box 1738 Richlands, VA 24641	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%

Exhibit E
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	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(r) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(s) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(t) Curtis Stilwell P.O. Box 908 Pounding Mill, VA 24637	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(u) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	0.0429 acres 1/24 of 1.03 acres	0.05365%	0.00308%	0.00877%
(v) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(w) David W. Stilwell 244 Texas Street, Apt #214 Rapid City, SD 57701	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(x) Thomas H. Stilwell 27 Horseshoe Bend Fargo, ND 58104	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(y) Quentin A. Stilwell P. O. Box 154 Rhome, ND 58651	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(z) Daniel J. Stilwell 100 Third Street SW No.D77 Mandan, ND 58554	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(aa) Bernice R. Lamb 2225 Second Avenue West International Falls, MN 56649	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%

OIL & GAS CLAIMANT (Surface Owner)

(1) Danny McClanahan P. O. Box 547 Oakwood, VA 24631	1.03 acres	1.28750%	0.07399%	0.21050%
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Tract #3A2, 2.03 acres

Escrow due to title conflict / Surface Claimant

COAL FEE OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	2.03 acres	2.53750%	0.14583%	0.41488%
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Exhibit E
Unit T-36
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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
<u>OIL & GAS FEE OWNERSHIP</u>				
(1) Linkous Horn Heirs, Devisees, Successors or Assigns	2.03 acres	2.53750%	0.14583%	0.41488%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.0677 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.0677 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.0677 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(2) Lydia Bell Blankenship Heirs, Devisees, Successors or Assigns				
(a) Noah & Mary Jane Keen Rt. 1, Box 154 Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(b) Shirley Keen Rt.1 Box 159R Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(c) Patsy & Clyde Moore Rt. 1, Box 138 Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(d) Brenda Sue & Eddie Justice P. O. Box 627 Keen Mountain, VA 24624	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne Rt.1 Box 157E Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(g) Ronnie & Sherry Osborne P. O. Box 12 Oakwood, VA 24631	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(h) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%

Exhibit E
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	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right	7-Right
			5.74713%	16.34981%
(i) Richard & Debbie Osborne P. O. Box 541 Keen Mountain, VA 24624	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen	<i>(Deed of Gift to Joyce Lineberry 3/16/03)</i>			
(j.1.1) Joyce Lineberry 110 Barn View Lane Woodleaf, NC 27054	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.0677 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns <i>Heirs / Address Unknown</i>	0.0677 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton P.O. Box 65 Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(c.3) Tammy D. Boyd 195 Taylor Circle Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(c.5) Danny W. Elder P.O. Box 296 Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%
(c.6) Robert G. Elder P.O. Box 65 Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.0141%	0.00081%	0.00230%

Exhibit E
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List of Conflicting Owners/Claimants that require escrow

		Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(4)	Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(5)	Joseph P. Horn P. O. Box 775 Raven, VA 24639	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(6)	Nancy Ann Horn Stilwell Rt. 4, Box 722 North Tazewell, VA 24630	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(7)	Earnest Horn Heirs, Devisees, Successors or Assigns				
(a)	Dorothy Horn 305 Bane Bottom Avenue Cedar Bluff, VA 24609	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(8)	Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(9)	Sarah Horn Day P. O. Box 208 Peterstown, WV 24963	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(10)	Carl Horn Heirs, Devisees, Successors or Assigns				
(a)	Marilyn Taylor RR1 Box 1445 Pounding Mill, VA 24637	0.2030 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
- OR -					
(2)	Thomas Stilwell Heirs, Devisees, Successors or Assigns	2.03 acres	2.53750%	0.14583%	0.41488%
(a)	Beulah V. Osborne HC 62, Box 109 Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(b)	Martha J. Stilwell HC 62, Box 95 Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(c)	Virginia N. Stilwell HC 62, Box 97 Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(d)	Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(e)	Exie Osborne Heirs, Devisees, Successors or Assigns				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-03
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(e.1) Myrtle Smith Heirs, Devisees, Successors or Assigns				
(e.1.1) Nancy Jackson P.O. Box 448 Doran, VA 24612	0.0211 acres 1/96 of 2.03 acres	0.02643%	0.00152%	0.00432%
(e.1.2) Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.0211 acres 1/96 of 2.03 acres	0.02643%	0.00152%	0.00432%
(e.2) Maxie Boyd P.O. Box 972 Raven, VA 24639	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(e.3) Ruth Osborne Smith P.O. Box 672 Doran, VA 24612	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(e.4) Judy Blankenship Box 221 Doran, VA 24612	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(e.5) John Osborne Box 6 Shortt Gap, VA 24647	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(e.6) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(f) Hubbard Osborne HC 62, Box 89 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(g) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(h) Jerline Davis 118 Coronado Road North Tazewell, VA 24630	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(i) Arlin W. Osborne P. O. Box 446 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(j) Jackie D. Osborne Rt. 1, Box 209 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(k) Daniel J. Osborne 100 Third Street, SW No.D77 Mandan, ND 58554	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(l) Sylvia A. Shelton 549 Jacks Creek Road Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-03
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(m) Marvin J. Osborne P. O. Box 537 Richlands, VA 24641	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(n) Lois Casey P. O. Box 521 Pounding Mill, VA 24637	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(o) Cora Arnold Heirs, Devisees, Successors or Assigns				
(o.1) James H. Arnold, widower P. O. Box 626 Raven, VA 24637	0.0846 acres 1/24 of 2.03 acres	0.10573%	0.00608%	0.01729%
(o) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(p) Jay C. Stilwell Heirs, Devisees, Successors or Assigns				
(p.1) Connie Stilwell, widow P. O. Box 1035 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(q) Wanda Hagy P. O. Box 1738 Richlands, VA 24641	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(r) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(s) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(t) Curtis Stilwell P.O. Box 908 Pounding Mill, VA 24637	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(u) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	0.0846 acres 1/24 of 2.03 acres	0.10573%	0.00608%	0.01729%
(v) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(w) David W. Stilwell 244 Texas Street, Apt #214 Rapid City, SD 57701	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(x) Thomas H. Stilwell 27 Horseshoe Bend Fargo, ND 58104	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-03
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	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(y) Quentin A. Stilwell P. O. Box 154 Rhame, ND 58651	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(z) Daniel J. Stilwell 100 Third Street SW No.D77 Mandan, ND 58554	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(aa) Bernice R. Lamb 2225 Second Avenue West International Falls, MN 56649	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%

OIL & GAS CLAIMANT (Surface Owner)

(1) Danny McClanahan P. O. Box 547 Oakwood, VA 24631	2.03 acres	2.53750%	0.14583%	0.41488%
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Tract #3B & 3C, 0.87 acres

COAL FEE OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.87 acres	1.08750%	0.06250%	0.17780%
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OIL & GAS FEE OWNERSHIP

Linkous Horn Heirs, Devisees, Successors or Assigns	0.87 acres	1.08750%	0.06250%	0.17780%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.0290 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.0290 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.0290 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(2) Lydia Bell Blankenship Heirs, Devisees, Successors or Assigns				
(a) Noah & Mary Jane Keen Rt. 1, Box 154 Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(b) Shirley Keen Rt.1 Box 159R Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%

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	Acres in Unit	Percent of Unit	Division of Interest in	
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(c) Patsy & Clyde Moore Rt. 1, Box 138 Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(d) Brenda Sue & Eddie Justice P. O. Box 627 Keen Mountain, VA 24624	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne Rt.1 Box 157E Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(g) Ronnie & Sherry Osborne P. O. Box 12 Oakwood, VA 24631	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(h) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(i) Richard & Debbie Osborne P. O. Box 541 Keen Mountain, VA 24624	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen				
	<i>(Deed of Gift to Joyce Lineberry 3/16/03)</i>			
(j.1.1) Joyce Lineberry 110 Barn View Lane Woodleaf, NC 27054	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.0290 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns <i>Heirs / Address Unknown</i>	0.0290 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%

Exhibit E
Unit T-36
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	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton P.O. Box 65 Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(c.3) Tammy D. Boyd 195 Taylor Circle Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(c.5) Danny W. Elder P.O. Box 296 Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(c.6) Robert G. Elder P.O. Box 65 Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(4) Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(5) Joseph P. Horn P. O. Box 775 Raven, VA 24639	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(6) Nancy Ann Horn Stilwell Rt. 4, Box 722 North Tazewell, VA 24630	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(7) Earnest Horn Heirs, Devisees, Successors or Assigns				
(a) Dorothy Horn 305 Bane Bottom Avenue Cedar Bluff, VA 24609	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(8) Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(9) Sarah Horn Day P. O. Box 208 Peterstown, WV 24963	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(10) Carl Horn Heirs, Devisees, Successors or Assigns				
(a) Marilyn Taylor RR1 Box 1445 Pounding Mill, VA 24637	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%

Exhibit EE
Unit T-36
Docket # VGOB-98-0324-0625-03
List of Conflicting Owners/Claimants with Royalty Split Agreements

		Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
				6-Right 5.74713%	7-Right 16.34981%	
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<u>Tract #2A. 32.30 acres</u>						
44.1822						
<u>COAL FEE OWNERSHIP</u>						
(1)	Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	32.30 acres	40.3750%	2.3204%	6.6012%	
<u>OIL & GAS FEE OWNERSHIP</u>						
(1)	Thomas Stilwell Heirs, Devisees, Successors or Assigns	32.30 acres	40.3750%	2.3204%	6.6012%	
(a)	Beulah V. Osborne HC 62, Box 109 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.2901%	0.8252%	Already Disbursed
(b)	Martha J. Stilwell HC 62, Box 95 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.2901%	0.8252%	Already Disbursed
(c)	Virginia N. Stilwell HC 62, Box 97 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.2901%	0.8252%	Already Disbursed
(d)	Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.04688%	0.29005%	0.82515%	9.1383%
(e)	Exie Osborne Heirs, Devisees, Successors or Assigns					
(e.1)	Myrtle Smith Heirs, Devisees, Successors or Assigns					
(e.1.1)	Nancy Jackson P.O. Box 448 Doran, VA 24612	0.3365 acres 1/96 of 32.30 acres	0.4206%	0.0242%	0.0688%	Already Disbursed
(e.1.2)	Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.3365 acres 1/96 of 32.30 acres	0.4206%	0.0242%	0.0688%	Already Disbursed
(e.2)	Maxie Boyd P.O. Box 972 Raven, VA 24639	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	Already Disbursed
(e.3)	Ruth Osborne Smith P.O. Box 672 Doran, VA 24612	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	Already Disbursed
(e.4)	Judy Blankenship Box 221 Doran, VA 24612	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	Already Disbursed
(e.5)	John Osborne Box 6 Shortt Gap, VA 24647	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	Already Disbursed
(e.6)	Ida Proffitt Box 6 Shortt Gap, VA 24647	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	Already Disbursed

Exhibit EE
Unit T-36
Docket # VGOB-98-0324-0625-03
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.74713%	7-Right 16.34981%	
					44.1822
(f) Hubbard Osborne HC 62, Box 89 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(i) Arlin W. Osborne P. O. Box 446 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(j) Jackie D. Osborne Rt. 1, Box 209 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(m) Marvin J. Osborne P. O. Box 537 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(o) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(p) Jay C. Stilwell Heirs, Devisees, Successors or Assigns					
(p.1) Connie Stilwell, widow P. O. Box 1035 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(q) Wanda Hagy P. O. Box 1738 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(r) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(u) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	1.3458 acres 1/24 of 32.30 acres	1.6823%	0.0967%	0.2751%	Already Disbursed
(v) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(w) David W. Stilwell 244 Texas Street, Apt #214 Rapid City, SD 57701	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(x) Thomas H. Stilwell 27 Horseshoe Bend Fargo, ND 58104	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(z) Daniel J. Stilwell 100 Third Street SW No.D77 Mandan, ND 58554	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed
(aa) Bernice R. Lamb 2225 Second Avenue West International Falls, MN 56649	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	Already Disbursed

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	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%	Percent of Escrow
<hr/>					
<u>Tract #2D, 2.21 acres</u>					
44.1822					
<u>COAL FEE OWNERSHIP</u>					
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	2.21 acres	2.76250%	0.15876%	0.45166%	5.0020%
<u>OIL & GAS FEE OWNERSHIP</u>					
(1) Donald Nipper P. O. Box 655 Raven, VA 24639	2.21 acres	2.76250%	0.15876%	0.45166%	5.0020%

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgement annexed, admitted to record this 28th day of August, 20 07. Instrument No. 070003164 TESTE: Beverly S. Tiller, Clerk
Returned to: D.M.M.E. TESTE: Beverly S. Tiller ~~Deputy~~ Clerk

